

	<b>JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>AUTHORITY and REFERENCES: 505 KAR 1:130, KRS 15A.0652 KRS 640.040</b>
<b>CHAPTER: Juvenile Services in Community</b>		
<b>SUBJECT: Parole of Youthful Offenders</b>		
<b>POLICY NUMBER: DJJ 616.2</b>		
<b>TOTAL PAGES: 2</b>		
<b>EFFECTIVE DATE: 1/04/2016</b>		
<b>APPROVAL: Bob D. Hayter</b>		<b>COMMISSIONER</b>

## **I. POLICY**

Youthful Offenders shall be subject to the jurisdiction of the Kentucky Parole Board and may be placed on parole to the Department of Corrections. Reference KRS 640.080(1).

## **II. APPLICABILITY**

This policy and procedure shall apply to all community service offices.

## **III. DEFINITIONS**

Refer to Chapter 600

## **IV. PROCEDURES**

- A. The Parole Board may, with regard to a Youthful Offender, exercise any of the powers which it possesses pursuant to KRS Chapter 439, except as provided in KRS Chapters 600 to 645. Reference KRS 640.080(1).
- B. The Juvenile Service Worker shall appear as needed at a parole board hearing and be prepared to testify if necessary.
- C. A Youthful Offender parole violator shall, except as provided in KRS Chapter 635 and 640, be incarcerated in a secure juvenile detention facility until eighteen (18) years of age, unless released prior to that age. Upon reaching eighteen (18) years of age, an incarcerated violator shall be transferred to the Department of Corrections. Reference KRS 640.080(2).
- D. The Division of Placement Services shall maintain the records regarding Youthful Offender parole eligibility.
- E. A hearing with the Parole Board shall be scheduled by the Division of Placement Services when the youth meets parole eligibility.
- F. Per KRS 640.100, Department staff shall furnish members of the Parole Board:
  1. Access at all reasonable times to any Youthful Offender over whom the board has jurisdiction under KRS Chapter 640;
  2. Facilities for communicating with and observing the Youthful Offender;
  3. Reports required by the Parole Board concerning the conduct and character of any Youthful Offender in its custody; and

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4. Any other facts deemed pertinent by the board in determining whether the Youthful Offender shall be paroled.
- G. Per KRS 640.090, upon determination that a person is a Youthful Offender, the Department shall provide copies of records to the Kentucky Parole Board and to the Department of Corrections. No record relating to the youth, except records maintained by the Youthful Offender's defense attorney or the Department of Public Advocacy, if he was defended by that department, shall be deemed privileged from disclosure to the Parole Board.
- H. A Youthful Offender shall be released from the Department of Juvenile Justice's custody to the direct supervision of the Department of Corrections, Division of Probation and Parole, if he or she has been granted parole by the Kentucky Parole Board and upon the issuance of the Parole Certificate. This applies to Youthful Offenders under and over eighteen (18) years of age. Reference DJJPP 351 (Youthful Offender Parole).

## **V. STAFF TRAINING**

- A. The JSDS in conjunction with the Division of Placement Services shall ensure that community staff are trained annually on the following Youthful Offender parole process.
- B. The Juvenile Services Regional Manager and the Office of Legal Services shall collaborate and produce a training component regarding Youthful Offender statutes.

## **VI. MONITORING MECHANISM**

The Division Director of Community and Mental Health Services or designee, in conjunction with the Quality Assurance Branch, shall develop monitoring protocols to be used by the Juvenile Services District Supervisor or Juvenile Services Specialist that review the administration of the standards of Youthful Offender parole.